

REMARKS

Claims 27-42 are pending in the present application. Claims 14-15, 17-21 and 24-26 were cancelled, without prejudice. New claims 27-42 were added in this response. No new matter has been introduced as a result of the amendments. Support for the amendments may be found, for example, in paragraphs [0026-37]. Favorable reconsideration is respectfully requested. .

Claims 14, 15, 17-19, 21, 22 and 24-26 were rejected under 35 U.S.C. §103(a) as being anticipated by *Capitant et al.* (US. Patent 6,976,011) in view of *Pailles* (US. Pub. 20040083166). Claim 20 was rejected under 35 U.S.C. §103(a) as being anticipated by *Capitant et al.* (US. Patent 6,976,011) in view of *Pailles* (US. Pub. 20040083166) and *Sivula* (US. Patent 6,907,239). Applicant respectfully traverse these rejections for the following reasons.

Specifically, the cited art, alone or in combination, fails to teach or suggest the features of transmitting at least one service request message over the radio communication network from the user identification circuit to a service computer, wherein the at least one service request message requests allocation of at least one service; receiving a pre-paid account status message over the radio communication network from the service computer to the user identification circuit in response to each service request message, wherein the user identification circuit evaluates the pre-paid account status message; and communicating the evaluated pre-paid account status message from the user identification circuit to the telecommunication device to allocate use of the requested service when the evaluated pre-paid account status message indicates a specific result as recited in claim 27, and similarly recited in claim 39.


Under the claimed configuration, the pre-paid services are allocated independently from network operators within a radio communication system. Before services are allocated, a check of the account status assigned to the user identification device is performed, where the service is enabled if the result of the check is positive (and blocked if the result of the check is negative). Under this configuration, the number of messages needed to be sent over the respective radio communication system for pre-paid services is minimized. The check of the account status can be made by the actual device for providing the service (service computer) or by another entity (network control unit) as a result of a query by the device for providing the service.

In contrast, *Capitant* generally discloses the use of a SIM card to store and send data (col. 1, lines 18-27; col. 6, lines 51-56). However, *Capitant* does not address pre-paid services, nor does the *Capitant* describe the messaging claimed in the present application for allocating such services. Neither Pailles nor Sivula solve the deficiencies of *Capitant*. Regarding Pailles, the reference generally discloses a SIM application toolkit, but fails to address any of the other features recited in the present claims. Similarly, Sivula discloses charging for downloading services, but fails to address the other claimed features. In light of the amended claims, Applicant submits the rejection is traversed.

In light of the above, Applicants respectfully submit that claims 27-42 are both novel and non-obvious over the art of record. Accordingly, Applicants respectfully request that a timely Notice of Allowance be issued in this case. If any additional fees are due in connection with this application as a whole, the Examiner is authorized to deduct such fees from deposit account no. 02-1818. If such a deduction is made, please indicate the attorney docket no. (0112740-1059) on the account statement.

Respectfully submitted,

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